IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 6389 OF 2004

SUDHAKAR PANDURANG GAIKWAD ... PETITIONER

vs

KESHUBHAI @ KESHAVLAL
LILADHAR GOKANI .. RESPONDENT

Mr. R. S. Kate for R.D. Suryawanshi for petitioner

Mr. Vishal Phal for respondent

CORAM:-SMT. RANJANA DESAI, J.

DATED:-31-1-2005

P.C.

This petition is filed by the tenant. Both the courts below have held against him on the ground of subletting, arrears of rent, erection of permanent structure and non user for the purpose for which the premises

were let. The findings of fact returned by the courts below are unassailable. No interference is called for with the impugned judgment and decree in writ jurisdiction. Hence the petition is dismissed.

2. At this stage the learned counsel for the petitioner seeks time to vacate the suit premises. He says that two years' time may be granted to the petitioner. The learned counsel for the respondent opposes this.
3. In the circumstances of the case, the petitioner is granted six months' time to vacate the suit premises on the petitioner and all adult members of his family filing usual undertaking in this court within a period of two weeks from today.
4. By the end of July, 2005, the petitioner and all members of his family shall handover vacant, unencumbered possession of the suit premises to the respondent.